

if the first packet data transmission is not successfully received by the second station. Independent claim 1 also recites that the increased second transmission power is calculated based on the first transmission power used by the first station in the first packet data transmission to the second station, a controlled amount of transmission power by the second station, a changed amount of power received at the first station, and a channel compensating value received from the second station.

As stated in the previous response, Derryberry does not teach or suggest that the increased second transmission power is calculated based on the first transmission power used by the first station in the first packet data transmission to the second station, a controlled amount of transmission power by the second station, a changed amount of power received by the first station, and a channel compensating value received from the second station. The Advisory Action appears to state that these features are taught by Derryberry. For example, the Advisory Action asserts that Derryberry's col. 10, lines 9-12 discloses a threshold where a measured received power is compared and that Derryberry's col. 10, lines 36-40 discloses a power control command including a parameter for the increase or decrease of a transmit power. The Advisory Action then appears to state the claimed changed amount of power and compensating value are broadly defined.

Applicant respectfully submits that Derryberry still does not teach or suggest all the claimed features. That is, Derryberry's col. 10, lines 9-47 do not teach or suggest the features recited in independent claim 1. The mere disclosure of a power control command and/or a

threshold does not teach or suggest the features recited in independent claim 1 as alleged in the Advisory Action. The features disclosed in Derryberry also do not suggest that the increased second transmission power is calculated. Furthermore, neither the Advisory Action nor the Office Action have not shown any features to correspond to the claimed changed amount of power received at the first station and a channel compensating value received in the second station. Derryberry does not teach or suggest all the features of independent claim 1 as alleged in the Advisory Action. Thus, independent claim 1 defines patentable subject matter.

Independent claim 10 recites that the second transmission power is calculated based on the first transmission power used by the first station, a controlled amount of transmission power by the second station, a changed amount of power received by the first station, and a channel compensating value received from the second station. For at least similar reasons as set forth above, Derryberry does not teach or suggest all the features of independent claim 10. Thus, independent claim 10 defines patentable subject matter.

Independent claim 17 recites that the second transmission power is calculated by summing a previous transmission power of the mobile terminal, a controlled amount of transmission power by the base station, a changed amount of power received at the mobile terminal, and a channel compensating value received from the base station. For at least similar reasons as set forth above, Derryberry does not teach or suggest all the features of independent claim 17. Derryberry also does not suggest that the second transmission power is calculated by

summing the features in independent claim 17. Thus, independent claim 17 defines patentable subject matter.

For at least the reasons set forth above, each of independent claims 1, 10 and 17 defines patentable subject matter. Each of the dependent claims depends from one of the independent claims and therefore defines patentable subject matter at least for this reason. In addition, the dependent claims recite features that further and independently distinguish over the applied references.

For example, dependent claim 8 recites that the second transmission power is calculated by summing the first transmission power used in the first packet data transmission, the controlled amount of the transmission power by the second station, the changed amount of power received at the first station, and the channel compensating value received from the second station. See also dependent claim 15. Derryberry does not teach or suggest at least these features as Derryberry does not relate to the claimed calculated by summing as recited in dependent claim 8. Thus, dependent claims 8 and 15 define patentable subject matter at least for this additional reason.

Additionally, dependent claim 29 recites that the increased second transmission power is calculated based on the channel compensating value received from the second station. Derryberry does not teach or suggest at least these features of dependent claim 29. That is, Derryberry does not calculate the increased transmission power based on a channel

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compensating value. Thus, dependent claim 29 defines patentable subject matter at least for this additional reason.

CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of claims 1-4, 8-11, 15-19, 22-24, 29-31 and 34 are earnestly solicited. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,



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